



# California Fair Political Practices Commission

June 17, 1987

Frank C. Damrell  
Damrell, Damrell & Nelson  
1625 I Street  
Modesto, CA 95354

Re: California Collider Commission  
Our File No. I-87-158

Dear Mr. Damrell:

On May 22, 1987, the Office of the Secretary of State received an amendment to your firm's Lobbying Firm Registration Statement (Form 601) adding the California Collider Commission as an entity to which the firm will provide lobbying services. The amendment was forwarded to this office for a determination of whether the California Collider Commission qualifies as a lobbyist employer. The Lobbying Firm Activity Authorization (Form 602) which was completed by the Chairperson of the Collider Commission's Executive Steering Committee contained the following statement:

This authorization is prepared for the sole purpose of ensuring that the lobbying firm registration statement required by California Government Code Section 86104 is complete. California Government Code Section 86300 exempts the Executive Steering Committee as an entity of the State of California from all other lobbyist provisions of the Political Reform Act.

Section 86300(a) provides an exemption from the Act's lobbying disclosure provisions for:

...any employee of the State of California acting within the scope of his employment....

(Emphasis added.)

Employeess of your lobbying firm are not employees of the State of California. However, the exemption for employees of the State of California may, under certain circumstances, apply to outside consultants who contract to provide lobbying services to a state agency.

Enclosed please find a copy of an advice letter issued to Sharon Quessenberry of the law firm Turner & Sullivan (No. A-84-121). The letter states that the exclusion in Government Code Section 86300 applies to a law firm and its employees who provide lobbying services to a state agency so long as each employee who provides lobbying services to the state agency is a "designated employee" (Government Code Section 82019) and files statements of economic interests under the conflict of interest code which the agency is required to adopt (Government Code Sections 87300-87313).

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Therefore, unless the employees of Damrell, Damrell and Nelson who will provide lobbying services to the California Collider Commission are designated in the Commission's conflict of interest code and file statements of economic interests, the Commission must file reports as a lobbyist employer. In addition, Damrell, Damrell and Nelson must report on its quarterly Lobbying Firm Report (Form 625) the required information for a lobbyist employer in connection with the services it provides to the Commission.

If you have any questions regarding the above, please contact me at (916) 322-5662.

Sincerely,

*Carla Wardlow*

Carla Wardlow  
Political Reform Consultant  
Technical Assistance and  
Analysis Division

Enclosures

cc: William B. Baker,  
California Collider Commission  
Secretary of State